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WHAT EVERY TEACHER OUGHT TO KNOW.

BY

A TEACHER.

ROCHESTER, N. Y.:
A. P. CHAPIN.
1886

The Educational Gazette.

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WHAT
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OUGHT TO KNOW.

TEACHERS' LICENSES.

No person can legally contract to teach in the public schools, or collect his pay, without a license.

There are five kinds of licenses :

1. A Normal School diploma.

2. A State certificate, good for life.

3. A limited license, granted by the State Superintendent.

4. A certificate granted by a County Commissioner.

5. A certificate granted by a Board of Education.

How are licenses obtained?

1. There are three grades of Normal School diplomas granted on completion of either the Elementary English, the Higher English or the Classical course of study. These courses require two,

three and four years work, respectively. In order to enter a Normal School candidates must be at least sixteen years of age and must pass a creditable examination in the common English branches. Students may enter advanced if they can pass the required examinations, but the last year's work of either course must be done in the school.

2. State certificates are granted by the State Superintendent only upon examination. These examinations are generally conducted by the institute faculty.

3. Temporary licenses may be (but seldom are) granted by the State Superintendent. They are limited to a school commissioner district or school district, and are not given for a longer period than six months.

4. Many cities regulate their own examinations and grant their own licenses. The examinations are usually conducted by the superintendent and the licenses are signed by him and the officers of the school board.

5. School commissioners grant three grades of licenses, based upon the mental qualifications and moral standing of the candidates, and their experience, if any, in teachihg. Most commissioners examine all applicants who apply at the proper times and places as publicly announced by the commissioners.

Note.—All teachers in New York must be examined regarding the effects of stimulants and narcotics.

On what grounds can a teacher's license be annulled?

Normal school diplomas and State certificates may be annulled by the commissioner only on the ground of immoral character.

Other licenses may be annulled for either immorality or deficiency in learning or ability to teach.

What relief has the teacher?

He may appeal to the State Superintendent, whose decision is final.

THE TEACHER'S AUTHORITY.

During the established school hours the teacher's authority over the conduct of the pupils present in school is absolute. This authority does not extend beyond the school buildings and grounds.

Punishments must not be cruel and should not be unnecessarily severe. It is better to be too lenient than too severe. Corporal punishment may be used, but *should be* only as a last resort.

Obedience and order must be secured and maintained, but it should be done with the least amount

of physical force possible. It is better to develop a love for school work by making it attractive than to arouse the ire of the pupils by needless rules and commands.

The teacher can compel the study of only one subject, and that is physiology, with special reference to the effects of stimulants and narcotics. The parent or guardian may select from the studies belonging to the child's class or grade those which he wishes his child to pursue.

THE BIBLE IN THE PUBLIC SCHOOLS.

In New York the State Department has uniformly denied the right of a teacher or any school officer to insist on attendance at religious exercises during legal school hours. Such exercises may be held before nine in the morning, and attendance made optional, but must not be held between nine and four, if objection is made by patrons of the school.

TEACHER'S RIGHT AND AUTHORITY.

The old maxim of English law is as applicable to the schoolmaster as to any other person who is in the lawful possession of a house. It is true that

the school officers, as such, have certain rights in the school-house, but the law will not allow even them to interfere with the teacher while he keeps strictly within the line of his duty. Having been legally put in possession, he can hold it for the purposes and the time agreed upon ; and no parent, not even the Governor of the State, nor the President of the United States has any right to enter it and disturb him in the lawful performance of his duties. If persons do enter, he should order them out ; and if they do not go on being requested to do so he may use such force as is necessary to eject them. And if he finds that he is unable to put them out himself, he may call on others to assist him ; and if no more force is employed than is actually necessary to remove the intruder, the law will justify the teacher's act and the acts of those who assisted him.

THE SCHOOL YEAR AND THE ANNUAL SCHOOL MEETING.

"An annual school meeting of each school district shall be held the last Tuesday of August of each year, and unless the hour and the place thereof shall have been fixed by a vote of a previous district

meeting, the same shall be held in the school-house at seven o'clock in the evening." Laws of 1883.

The election of officers in certain school districts, containing 300 or more children of school age, shall be held on the Wednesday next following the last Tuesday in August in each year, between the hours of twelve o'clock, mid-day, and four o'clock in the afternoon.

The school year expires on the twentieth day of August.

"The trustees of each school district shall, between the last Tuesday of August and the first Tuesday of September in each year, make and direct to the School Commissioner, a report in writing, dated on the twentieth day of August of the year in which it is made, and shall sign and certify it, and deliver it to the clerk of the town in which the school district is situated." Laws of 1883.

"The annual meeting of the Board of Education of every union free school district, shall be held on the first Tuesday of September in each year." Laws of 1883.

SPECIAL SCHOOL MEETINGS.

Trustees may call a special meeting at any time. The notice shall state the object of the meeting and

be served on each voter at least five days before the date of the meeting. The chairman may vote on all questions involving a tax levy.

Trustees of a Union free school should be elected by ballot between the hours of 12 M. and 4 P. M. of the next day after the annual school meeting.

VOTERS AT SCHOOL DISTRICT MEETINGS.

By the laws of 1881, there are three classes of persons who may vote, as follows :

I. "Every person (male or female) who is a resident of the district, of the age of twenty-one years, entitled to hold lands in this State, who either owns or hires real estate in the district liable to taxation for school purposes."

II. "Every citizen of the United States (male or female) above the age of twenty-one years, who is a resident of the district, and who owns any personal property assessed on the last preceding assessment roll of the town, exceeding fifty dollars in value, exclusive of such as is exempt from execution."

III. "Every citizen of the United States (male or female) who is above the age of twenty-one years, who is a resident of the district, and who has

permanently residing with him, or her, a child or children of school age, some one or more of whom shall have attended the school of the district for a period of at least eight weeks within the year preceding the time at which the vote is offered."

Attorney General Russell, at the solicitation of Supt. W. B. Ruggles, for his opinion, says, under date of May 28, 1883: "It will be observed that the statute uses the term "him, or her," evidently for the purpose of giving the particular party with whom the child resides the right to vote, and was not intended to confer such right of voting upon both the husband and the wife. . . . . the legal residence of the child would be with the husband, and he alone would by reason of such residence be entitled to vote at the school meeting held in the district in which he resides."

TRUSTEES.

A district may have one or three trustees, and may change from one to three or from three to one by a two-thirds vote.

Neither a school commissioner nor a supervisor can hold the office of school trustee.

A trustee cannot hold the office of collector, clerk or librarian.

A trustee may tender his resignation in writing to the supervisor.

If the district does not fill the vacancy within thirty days the supervisor may appoint.

The State Superintendent of Public Instruction may remove a trustee for neglect of duties.

The trustee is custodian of the district property.

The trustee alone has power to decide what text-books shall be used.

The trustee only has the legal right to expel a pupil.

Trustees have no right to purchase globes, maps or other school apparatus unless authorized by the vote of a district meeting.

Trustees may levy a tax for the balance of teachers' wages if the public money has been expended.

Trustees have sole power to hire teachers and cannot be restricted in this matter by a district vote.

A sole trustee cannot hire a teacher for a term of school which does not begin before the close of his term of office.

A trustee cannot legally employ himself or his wife, his brother or sister, his parents or grandparents, his children or grand children, or the husband or wife of a brother or sister, child or grandchild.

Three trustees and Boards of Education may hire for one year but not longer.

Any person who shall willfully disturb any public school or school meeting shall forfeit twenty-five dollars.

All States make provision for furnishing text-books to children if their parents are too poor to buy them.

RECENT DECISIONS OF SUPERINTENDENT JAMES E. MORRISON ON QUESTIONS OF SCHOOL LAW.

Hon. James E. Morrison, State Superintendent of Public Instruction, has recently rendered the following decisions in answer to inquiries respecting the points involved :

1. In a letter, dated January 31, 1883, Supt. Ruggles wrote : "I think that you have good right, if authorized by the trustees, to discipline the scholars for using tobacco in the school, for irregular attendance, for bad conduct, or for refusing to make good, damages done to school property. The suspension of a pupil from the school should be the act of the trustees." In the same letter he said : "It has been held by this department, that a teacher's

authority over pupils ceases after the close of the school and when they retire from the school grounds. It seems a natural inference that the teacher has a right to control pupils on the school premises in any reasonable requirement I am of the opinion that a teacher has the right to forbid the use of tobacco by pupils on the school grounds.

2. The teacher, in the absence of regulations prescribed by the trustees, has the same power of punishment as the parent. But this right must be exercised with the same discretion and limitations that would be expected of a kind and judicious parent.

3. The law does not contemplate that pupil teachers shall be employed in any of the schools of this State ; but it does not prohibit one pupil from instructing another. If any school is too large to be instructed by the teacher, the trustees should provide an additional teacher. Pupils might, perhaps, be allowed to instruct other pupils, in case they are properly qualified ; but this should not be allowed as a substitute for an adequate teaching force.

4. Children visiting or boarding in the district, but whose homes are elsewhere, should draw public money in the district containing their permanent residence. In regard to the enumeration of children of school age, in the employment of persons

residing permanently in districts other than where the parents or guardians of such children reside, it is impossible to lay down a rule with the requisite precision to meet all cases. Each individual case must necessarily rest upon the particular circumstances attending it. In a general way, however, it may be said that if the child of school age is actually in a particular district, composing a part of the family of an employer who resides permanently or temporarily in such district, and such employment is in good faith and constitutes the principal cause of such child being a part of said family, and is not a mere convenience incident to another principal matter, namely, the attendance at school, then such child should be enumerated in that district, and not in the other district where his parents or guardians may reside. If the employment is not real and substantial, and is only a pretense or cover to secure from tuition, then the child should not be enumerated in that district. Whether a case belongs to the one or the other of these two classes, is for the trustees to determine, after fairly considering the facts and circumstances bearing upon the points above suggested.

5. The law requiries the closing of all schools outside incorporated cities during the holding of a teacher's institute in the county. In case trustees refuse to close a school for such institute, it will

work a forfeiture of the public money depending upon the attendance of pupils during the time of the institute, and the time cannot be counted as part of the twenty-eight weeks required by law. In closing the schools during the time of an institute, the law has no other object than to enable teachers to attend such institute. If teachers were not to attend the institute, the law would not only be of no use, but would be injurious. It is, therefore, plainly the intent of the law that teachers shall attend the county institutes, and it is their duty so to do.

6. The blanks for recording the attainments of pupils were inserted in the register for the purpose of providing the means of classification and grading at the beginning of a new term, and especially in those cases where a new teacher is employed each successive term. It is difficult to see in what respect such records are more burdensome or less useful in rural schools than elsewhere, and in many cases they will evidently be of more value in rural districts. They are required by the Superintendent under section 53, title VII., chap. 555, laws of 1864, which provides that teachers shall enter in the blank books furnished "any other facts and in such form as the Superintendent of Public Instruction shall require."

INSTITUTE FACULTY.

The following gentlemen constitute the Institute Faculty of New York State:

John H. French, LL. D., Rochester, N. Y.; James Johonnot, Princeton, N. J.; Henry R. Sanford, A. M., Middletown, N. Y.; Samuel H. Albro, A. M., Fredonia, N. Y.

These instructors are appointed by the State Superintendent of Public Instruction. They receive an annual salary of $2,500 and their traveling expenses.

STATE SUPERINTENDENT.

The State Superintendent of Public Instruction is elected by joint ballot of both houses of the Legislature. The term of office is three years and the salary is $5,000 per year. The Superintendent appoints a deputy, whose salary is $3,500.

March 10th, 1886, Andrew S. Draper, of Albany, was elected to this office. April 7th he assumed its duties.

TEACHER'S INSTITUTES.

After the 20th day of August, 1885, all schools in school districts and parts of districts, not included within the boundaries of an incorporated city, shall be closed during the time a Teacher's Institute shall be in session in the same county in which such

schools are situated, and in the apportionment of public school money, the schools thus closing in any school term shall be allowed the same average pupil attendance during such time as was the average during that part of the term when the school was not thus closed, and any school continuing its sessions in violation of the above provision shall not be allowed any public money based upon average pupil attendance during the days the school was thus kept in session.

NORMAL SCHOOLS.

There are nine Normal Schools in the State of New York, located as follows :

Albany, Albany Co. Fredonia, Chautauqua Co.
Brockport, Monroe Co. Geneseo, Livingston Co.
Buffalo, Erie Co. New Paltz, Ulster Co.
Cortland, Cortland Co. Oswego, Oswego Co.
Potsdam, St. Lawrence Co.

The following named gentlemen are the principals of these schools :

Albany, E. P. Waterbury ; Brockport, C. D. McLean ; Buffalo, H. B. Buckham ; Cortland, J. H. Hoose ; Fredonia, F. B. Palmer ; Geneseo, W. J. Milne ; New Paltz, Eugene Bouton ; Oswego, E. A. Sheldon ; Potsdam, E. H. Cook.

The usual salary of a New York State Normal School principal is $2,500.

BOARD OF REGENTS.

HENRY R. PIERSON, LL. D., *Chancellor of the University* ....ALBANY.

DAVID B. HILL, *Governor*,
ED. F. JONES, *Lieutenant-Governor*,
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AND. S. DRAPER, *Supt. P. Instruction*, } *Ex-officio*..ALBANY.

Arranged in the order of their appointment:

LORENZO BURROWS, 1858..... .....*Albion.*
ELIAS W. LEAVENWORTH, LL. D., 1861.. .....*Syracuse.*
J. CARSON BREVOORT, LL. D., 1861.....*Brooklyn.*
GEORGE W. CURTIS, LL. D., 1864.....*West New Brighton.*
FRANCIS KERNAN, LL. D., 1870.....*Utica.*
JOHN L. LEWIS, 1871..... .....*Penn Yan.*
HENRY R. PIERSON, LL. D., 1872.....*Albany.*
MARTIN I. TOWNSEND, LL. D., 1873.....*Troy.*
REV. ANSON J. UPSON, D. D., LL. D., 1874.....*Auburn.*
WILLIAM L. BOSTWICK, 1876..... .....*Ithaca.*
CHAUNCEY M. DEPEW, 1877.....*New York.*
CHARLES E. FITCH, 1877.....*Rochester.*
REV. ORRIS H. WARREN, D. D., 1877.....*Syracuse.*
LESLIE W. RUSSELL, LL. D., 1878. ....*Canton.*
WHITELAW REID, 1878 .....*New York.*
WILLIAM H. WATSON, M. D., 1881.....*Utica.*
HENRY E. TURNER, 1881.....*Lowville.*
ST. CLAIR MCKELWAY, 1883.....*Albany.*
WILLARD A. COBB, 1886.....*Lockport.*

DAVID MURRAY, LL. D., *Secretary*.....*Albany.*
DANIEL J. PRATT, PH. D., *Assistant Secretary*.....*Albany.*

The Legislature appropriates annually $40,000 to be apportioned among the Academies by the Regents. Of this sum $12,000 is derived from the income of the literature fund, and $28,000 is derived from the United States deposit fund. It is divided among the Academies reporting to the Board, on the basis of the attendance of scholars pursuing academic studies.

The Regents are elected for life by joint ballot of both houses of the Legislature. They serve without salary.

The Secretary, Assistant Secretary and Inspector of Teacher's Classes are appointed by the Board of Regents and receive liberal salaries.

BOOKS AND APPARATUS.

One of the most useful and renumerative species of aid rendered by the State to the academies has been the money contributed for the purchase of books and apparatus. The plan has been for the State to duplicate any money raised outside of the regular income of the academies for the purchase of books for the library or philosophical apparatus. When the appropriation of $3,000 was first made it

was sufficient to meet every such application in full. As the amount applied for increased so as to exceed the sum appropriated, the amount to be paid to any one academy was limited to $2.50. Subsequently this limit was further reduced to $150. And finally as the appropriation became still more largely deficient, rules have been framed for giving the preference (1) to academies which have never had an appropriation, and (2) to those which have not received anything in ten years. With all these precautions the appropriation is still entirely inadequate. It is a matter greatly to be desired that this appropriation be increased to at least $5,000 or $6,000.

EXAMINATIONS.

For the purpose of a more equitable distribution of this fund the Board established in 1865 a system of examinations. This system was at first confined to four subjects, viz.: arithmetic, geography, English grammar and spelling. Scholars were required to have passed in these subjects before they could be counted in the apportionment of the literature fund. The examinations are conducted in writing on questions sent out from the Regent's office. The

plan commended itself to the teachers of the academies, and became widely recognized as not only a successful measure for determining the apportionment of the literature fund, but an important standard of scholarship. The success of the examinations in elementary subjects led to its extension, in 1878, to the usual advanced subjects in the academic curriculum. The examinations have been held in academies during the past academic year. As a result of the examinations, the Board issues three grades of certificates:

1. *The Preliminary Certificate.*—For arithmetic, geography, English grammar, spelling and reading.

2. *The Intermediate Certificate.*—For the preliminary certificate, together with algebra, American history, physical geography, physiology and rhetoric, or in the classical course with Latin through Cæsar's commentaries, algebra and American history.

3. *The Academic Diploma.*—For the two preceding certificates, together with plain geometry and eight additional subjects.

TEACHERS' CLASS.

The candidates must have attained the age, if males, of eighteen, and if females, of sixteen years.

They must have passed the Regents' preliminary examination in Arithmetic, English Grammar, Geography and Spelling.

They must subscribe to the following *declaration :*

We, the subscribers, hereby declare that our object in asking admission to the Teachers' Class of . . . . High School, is to prepare ourselves for teaching in the public schools of this State, and that it is our intention to become teachers.

The trustees, principal and school commissioner must be satisfied that the candidates have the moral character, talents and aptness necessary to success in teaching.

The number of candidates is limited to twenty-five.

MISCELLANEOUS.

A teacher's license should be annulled for intemperance. 410, 506. (Code of 1879.)

All pupils in all schools supported by public money, or under State control, shall be instructed in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. And no

certificate to teach shall be granted to any person who has not passed a satisfactory examination in said studies. Laws of 1884.

The ownership of real estate by a wife, in her own name, does not make her husband a voter in the district, even though he paid taxes on the property, or paid the purchase money therefor. 561. (Code of 1879.)

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